

REMARKS

In the office action dated June 10, 2006, the examiner rejected claims 1, 3-5, 7-16 under 35 U.S.C. 102(e) as being anticipated by Couture et al. and claims 1-2, 5-6, 9-10, 13 and 16 under 35 U.S.C. 102(e) as being anticipated by Rossner et al.

In light of the amendments above, claims 3, 7, 10-11, 13-14, and 16 have been cancelled, claims 1, 5, 9, 12, and 15 have been amended, and new claims 17-19 have been added.

Couture et al. discloses a tool guide and cutting block for use in knee surgery. Figure 3, 4a and 4b and the corresponding descriptions disclose a polyaxial screw with a spherical head for mating with a semi-spherically shaped bowl on the tool guide. The spherically shaped head includes petals which are forced outwards as a conical screw within the polyaxial screw is tightened causing the spherically shaped head to fix within the semi-spherically shaped bowl on the tool guide and thus securing the tool guide with respect to rotational degrees of freedom with respect to the femur.

Figure 6 and the accompanying description disclose a calibration instrument that can be removably inserted into a socket on the underside of the cutting block. The calibration instrument includes an alignment pin 46 that engages with a biased retention member to secure the calibration instrument within the socket and also allow for removal of the calibration instrument upon movement of the biased retention member.

Rossner et al. discloses a medical tracking system with a universal interface. Figures 1 and 2 and the accompanying descriptions describe a tracker marker holder that is interchangeably mountable to a fastener base. The descriptions teaches use of a threaded coupling portion between the tracker marker holder and fastener base as well as a quick release type of devices such as a ball-detent. The coupling portion engages a socket on the mounting base so that a fastening hub on the tracker marker holder abuts a mounting seat on the base portion. The mounting seat has anti-rotation elements to prevent rotation of the marker holder.

The amendments above clarify that in the claimed embodiments of the present application, a reference frame has a receiving slot that is formed integrally with the reference frame. The receiving slot is formed by a side wall extending along three sides of the receiving slot to define a receiving opening configured to receive a mating portion that is attached to the item used in surgery. The slot further includes a key-hole for engaging with a locking member on a mating portion of the registering and securing mechanism. In this way, the registering and securing mechanism can engage the open receiving slot such that movement along a single translational degree of freedom is permitted until the locking member engages the key-hole and the registering and securing mechanism is fixed in place.

Among other differences, the presently claimed embodiments differ from the cited art in that the claimed embodiments require a receiving slot on the reference frame that mates with a locking member portion of a registering and securing

mechanism attached to the item. The cited references on the other hand describe a socket opening in a base portion that receives a locking member extending from the reference frame. The socket openings of the cited references do not disclose a receiving slot formed by a side wall extending along three sides of the frame with a bottom portion defined by the frame and an open top portion nor do they disclose such a receiving slot on the reference frame portion itself. The socket style opening does not teach or suggest a receiving slot opening open on a top surface and with an open receiving slot on a separate surface. The open design of the receiving slot has advantages over the prior art methods such as permitting better sterilization with an autoclave, for example. At least because the cited references do not teach a reference frame with a receiving slot in a side wall portion (separate from and in addition to a top open portion of the slot) configured to mate with a registering and securing mechanism as presently claimed, all pending claims are believe to be in condition for allowance.

Conclusion

Applicants respectfully submit that all pending claims are in condition for allowance, and request notification to that effect. If any issues remain to be resolved, the Examiner is respectfully requested to contact the undersigned at 404.815.6483.

Respectfully submitted,

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